



submit for consideration a Brief in Support of Plaintiffs' Motion to Amend (Dkt. # 140). Plaintiffs' motion and brief fail to recognize that the Court has "read [] language from the plaintiffs' Third Amended Complaint as asserting a claim for the wrongful arrest of Gregory . . . ," Dkt. # 94, at 17, n.3, and that the Court has dismissed Gregory's wrongful arrest claim with prejudice. Id. at 35. Accordingly, plaintiffs' request to include a claim for wrongful arrest is precluded.

**IT IS THEREFORE ORDERED** that plaintiffs' Application for Leave to File (Dkt. # 138) and plaintiffs' Motion to Amend (Dkt. # 139) are **denied**.

**The parties are directed to submit electronically through intake (not file) a final proposed pretrial order no later than February 1, 2006 at 9:30 a.m..**

**DATED** this 30th day of January, 2006.

  
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CLAIRE V. EAGAN, CHIEF JUDGE  
UNITED STATES DISTRICT COURT